

MAY 16 2014

TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT, LOUISIANA

BY: _____

UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF LOUISIANA

SHREVEPORT DIVISION

PEGGY J. CHAMP

CIVIL ACTION NO. 12-2722

versus

JUDGE TOM STAGG

DONALD W. MALRAY, ET AL.

MAGISTRATE JUDGE HORNSBY

MEMORANDUM RULING

The court recently granted a motion for summary judgment filed by defendants Donald W. Malray ("Malray"), Roger L. Smith ("Smith"), Evlanteike T. McDaniel ("McDaniel"), Willie Fred Knowles ("Knowles"), and the Town of Homer ("Homer"), dismissing all of plaintiff Peggy J. Champ's ("Champ") claims against those defendants. See Record Documents 50 and 51. Therefore, Champ's only remaining pending claims are against defendant Frank Evans ("Evans"), who did not join in the motion for summary judgment.

The factual basis for Champ's claims against Evans is indistinguishable from Champ's claims against the dismissed defendants. Champ's complaint does not allege any distinct, separate cause of action against Evans individually, but instead asserts all claims against all of the defendants collectively. See Record Document 1.

Consequently, the court reaches the same conclusion as in its prior memorandum ruling—there is no genuine dispute as to any material fact, and Champ has failed to provide sufficient evidence of a violation of any of her rights under federal or state law by Evans. Therefore, Evans is entitled to judgment as a matter of law.

Pursuant to Federal Rule of Civil Procedure 56, the court gave notice of its intent to grant summary judgment in favor of Evans and dismiss all of Champ's claims against him, and allowed any party to show cause why summary judgment should not be granted in favor of Evans. See Record Document 52. No party has filed any responsive pleading.

IT IS ORDERED that there be judgment herein in favor of Evans, dismissing all of Champ's claims against him.

A judgment consistent with the terms of this Memorandum Order shall issue forthwith.

THUS DONE AND SIGNED at Shreveport, Louisiana, this the 16th day of

May 2014.


JUDGE TOM STAGGS